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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln of: POIRIER et al. Atty. Docket No.: PCC115
Title: ANGULAR POSITIONING SENSING SYSTEM AND METHOD
Serial No.: 10/627,407 Art Unit: 2862
Filed: July 25, 2003 Examiner: Schindler, David M.
Customer No.: 32047

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 28 2005, at Manchester, New Hampshire.

By

Mary Boyd

PETITION PURSUANT TO 37 CFR 1.78(a)(3)
FOR UNINTENTIONALLY DELAYED BENEFIT
CLAIM UNDER 37 CFR 1.78(a)(2)

Dear Sir:

The present application was filed on July 25, 2003 claiming the benefit of U.S. provisional application serial number 60/398,744, filed July 26, 2002. The present application is also entitled to the benefit of U.S. application serial number 10/314,911, filed on December 9, 2002, which is currently pending.

Pursuant to 37 CFR 1.78(a)(3), Applicant hereby petitions for entry of an unintentionally delayed benefit claim under 37 CFR 1.78(a)(2). A petition pursuant to 37 CFR 1.78(a)(3) requires:

- (i) The reference required by 35 U.S.C. 120 and 37 CFR 1.78(a)(2) to the prior filed application, unless previously submitted;

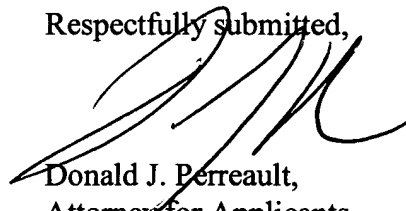
- (ii) The surcharge set forth in 37 CFR 1.17(t); and
- (iii) A statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(2)(ii) and the date the claim was filed was unintentional.

No action on the merits has been received in this application. Accordingly, and in support hereof, Applicant encloses a "Preliminary Amendment" for the purpose of amending the specification to include the reference required by 35 U.S.C. 120 and 37 CFR 1.78(a)(2).

Applicant also encloses payment in the amount of \$1,370.00 for the surcharge set forth in 37 CFR 1.17(t). The entire delay between the date the claim for priority requested herein was due under 37 CFR 1.78(a)(2)(ii) and the date the claim was filed was unintentional. The claim is made herein as expediently as possible following recognition of the failure to make the claim in a timely fashion.

In view of the foregoing, Applicant requests that the present petition be granted and that the enclosed "Preliminary Amendment" be entered for purposes of amending the specification to include the reference required by 35 U.S.C. 120 and 37 CFR 1.78(a)(2). In the event the personal contact may be useful for further disposition of this case, it is requested that the undersigned be contacted at telephone number 603-668-6560.

Respectfully submitted,



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